

Nephi City Cemeteries Policies and Procedures



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Introduction

It is the desire of Nephi City Corporation to operate and maintain a cemetery that is beautiful, dignified, and an appropriate final resting place for departed loved ones.

In formulating these policies and procedures, it has been our desire to offer as much freedom of choice as possible while still preserving those regulations necessary in maintaining a high standard of beauty and efficiency.

We sincerely hope that you will assist us in this effort by adhering to these policies. We also solicit your comments and suggestions regarding general maintenance and operating procedures.

Any questions regarding these policies or requests not covered by policy can be discussed in person at the cemetery; by letter to the Cemetery Sexton, 21 E 100 N, Nephi UT 84648; or by calling the Recorder's Office at 435-623-0822. Office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday, except on legal holidays.

History

This history is taken for *They Left a Record* and used by permission of Mrs. Sadie Greenhalgh:

The Nephi City Cemetery, located between Third North and Fifth East, was the first cemetery to be established in the city. It was many years before cemeteries were the places of beauty that we visit today.

There were no green lawns or caretakers. The day before Memorial Day every family went to the cemetery to rake the plots over and clean the weeds and rubbish and make things as attractive as possible. Most people remember the beautiful Pine Trees that adorned the North and East sides of the cemetery; and many within some of the lots. However, after many years the roots were tipping the headstones and doing other damage that it became necessary to remove them. In 1924 A.W. McCune, a millionaire of Salt Lake City, and a native of Nephi, donated one thousand dollars for the improvements of the Nephi City Cemetery as a memorial to his wife, Elizabeth Claridge McCune, who had just been buried there.

Water was piped, lawns planed and other improvements that have now been added to, making it the attractive cemetery we now have.

As the city cemetery become inadequate a much larger plot of ground was established north and east of the city. People have often wondered about the name of the Vine Bluff Cemetery. On this gentle slope, at the foot of the hills and east part of the cemetery, a vineyard of grapes was grown. A group of Nephi men formed a Company and raised grapes that were sold locally, and also to a wine manufacturer in St. George. T.H.G. Parkes and W.E. Evens were two of the men involved in this venture, which did not prove to be successful. (other names cannot be located at this time) However, grapes were grown there and the name "Vine Bluff" was selected because of this.

April 17, 1923, over 400 citizens donated a days labor in cleaning up the Vine Bluff Cemetery. Men with teams, carpenters, cement men, boys by the score and young girls all pitched in. Brush was removed and burnt in large Bon Fires. The old fence was torn down and a new one erected. The old entrance was abandoned and a new one made further to the north. Four large cement pillars were built to hang the gates later. A new graded road was built east through the center to the street running north and south. Stake Supt.(Y.M.M.I.A.) T.H. Burton was chairman of the project and was assisted by Mayor Winn (TC) and City Council. The cost of the improvements, counting labor and materials was estimated at from 12 to 15 hundred dollars (Taken from Times News April 20, 1923)

There have been noticeable improvements continually since that time and it is indeed a place of beauty that brings comfort to many families, and comments from many visitors to the area.

Conduct and Access

- A. **Conduct:** Cemetery grounds are sacredly devoted to the interment and repose of the dead. Strict observance of decorum due such a place shall be required of all persons.
- B. **Location and Access:** The Nephi City Cemetery is located at 400 N 400 E, Nephi, Utah. The Vine Bluff Cemetery is located at 1250 N 400 E, Nephi, Utah.
Access to either cemetery is restricted to daylight hours.
- C. **Speed Limit:** The speed limit is 10 m.p.h.
- D. **Driving and Parking:** Cars must not drive or park on lawn areas or drive on corners.
- E. **Animals:** Horses, dogs, or other types of pets or livestock are not permitted on the cemetery grounds.
- F. **Motorcycles, Bicycles, and All-Terrain Vehicles (ATVs):** Motorcycles and all-terrain vehicles (ATVs) are not permitted in the cemeteries except for those used for maintenance or professional suppliers or those that are part of a funeral procession.
Bicycles are permitted, but are subject to the same policies and procedures as motorized vehicles. Cutting corners and riving on the lawns are prohibited.

Burials

- A. **Human Dead:** Interments are limited to human dead.
- B. **Ordering a Grave Opening:** At the office of the Nephi City Recorder arrangements for a grave opening can be made by the funeral director or other responsible party. The required permits need to be filled out and the fees paid. The information required is the name of the deceased; the place of interment (obtained from the cemetery master file, unless newly purchased); the location, date, and time of the funeral services; and the name of the funeral director or mortician.
You may contact the city recorder by phoning (435) 623-0822 or in person at 21 E 100 N, Nephi, Utah.
- C. **Errors:** Nephi City Corporation will not be responsible for any mistake occurring from the lack of precise and complete instructions as to the proper space on the lot where interment is desired. When a grave on a lot cannot be opened where specified, the superintendent or sexton may, at his/her discretion, open it in in such location on the lot as he/she deems best and proper, so as not to delay the funeral affect the interment.

- D. **Burial Permits:** A permit for burial must be obtained prior to the opening of a grave. The necessary information and fees should be given to the city recorder by the family representatives or the funeral director. Proper and complete information is required for accurate record keeping. A 24-hour notice is required for opening a regular grave.
- E. **State Transit Permit:** Remains sent from the other states must also be accompanied by a transit permit to be filed in the recorder's office.
- F. **Hours When Burials Permitted:** Burials are accepted from 8:00 a.m. to 4:00 p.m. daily at the cemeteries. No burials will be accepted on Sundays or on the holidays of Christmas and Memorial Day (other holiday burials require the express permission of the Cemetery Superintendent.) Additional charges will be made for interments on Saturdays and holidays.
- G. **Burials Per Grave:** One interment only shall be allowed in a casket except a father or mother with an infant child, or two children buried at the same time. Not more than one casket are allowed in one grave.
- H. **Vaults:** Vaults are required for all burials. Vaults should be of concrete, steel, or fiberglass or structurally sound materials as approved by the sexton. No wood shall be used as a permanent part of the construction of any part of the vault.
- I. **Indigents:** Such lots as the city council shall from time to time designate will be reserved for the burial of indigent persons.
- J. **Orientation of Graves:** By convention, burial spaces are laid out in rows with the head of the grave to the west and foot to the east. Individual grave tracks usually measure four feet wide by eleven feet long except on odd sized lots. Traditional burial custom has the wife placed on the left side of the husband, however placement is a matter of choice. The sexton will assist in the decision as need.
- K. **Disinterment or Exhumations:** Cemetery grounds are sacredly devoted to the interment or repose of the dead. In these circumstances where it is necessary to disinter or remove remains from the cemetery all applicable state laws must be complied with. The sexton will schedule and direct the exhumation after applicable fees have been paid. Consultation with a funeral director is recommended for this procedure.
- L. **Cremations:** Cremations will be treated as a regular burial including fees and services. Cremations require a sealable urn made of plastic, metal, or other like material approved by the cemetery sexton. If a family desires, a cremation may be buried on top of an existing grave. Regular opening and closing charges will still apply. Two or three cremations may be placed in one grave spot. However, regular opening and closing fees will still apply.

Decorations and Flower Policy

- A. **Flowers on New Graves:** Decorations or flowers on new graves will be removed by the cemetery crew after seven (7) days. Special flower mementos should be removed after services by family members. After the grave is closed the casket spray is placed at the center of the grave. Other flower containers and wreaths are laid down in an orderly fashion around the spray with the containers extending outward. Only the last row of containers is visible, the other being covered by each succeeding row of flowers. Flowers are laid down to prevent them from being blown around the cemetery by nightly canyon winds.
- B. **Flower Regulations:** All flowers, real or artificial, must be placed in a container or attached to the monument or placed in a container that does not interfere with cemetery maintenance.
- C. **Flower Containers:** The placing of baskets, boxes, jars, cans, wire, bottles, etc. will not be permitted on sodded areas except during the Memorial Day holiday.
Permanent containers must be a part of the marker or cast into the cement base.
- D. **Artificial Flowers:** For the protection of the workers and the beauty of the cemetery, artificial flowers and grave decorations are not permitted from April 1 to November 1 except for Mother's Day, Father's Day, July 4th, July 24th, Memorial Day, and Labor Day. Artificial flowers and grave decorations are permitted from November 1 to March 31.
- E. **Fresh Cut Flowers:** Fresh cut flowers will be permitted any time provided they do not interfere with the upkeep of the cemetery such as grass mowing and edging.
- F. **Holiday Decorations:** All holiday decorations will be removed after seven (7) days.
- G. **Removal of Decorations:** Artificial and fresh-cut floral pieces and other decorations will be removed without notice when they become unsightly.
- H. **Planting of Flowers, Trees, and Shrubs:** City ordinance prohibits the planting of any trees, shrubs, or flowers or digging or disturbing the sod within the cemeteries without the permission of the cemetery superintendent.
Tree donations or gifts will receive designated and appropriate planting sites. All plants to be planted by headstones need to be in cement planting box.

I. **General Clean-up:** All flower and decorations not in permanent containers and those that are damaged or wilted in permanent containers will be removed from the cemetery during the first week of April and the fourth week of October each year. All flowers and decorations picked up are taken to the city landfill for disposal. Those who regularly bring in fresh cut flower are encouraged to wait until the spring and fall cleanups are completed before freshening up their displays.

J. **Memorial Day:** Cemetery crews begin early in the spring to prepare for Memorial Day. Preparations including mowing, watering, edging, spraying, planting, and tree trimming require all spring to accomplish.

The cemeteries are prepared and ready for decorations by Friday afternoon. The sprinklers are turned off Friday afternoon through the end of Memorial week to allow for the placement of decorations.

The removal of decorations will begin the Monday morning following Memorial Day. Anyone desirous of picking up their wreaths or decorations should do so prior to Monday. All decorations are disposed of at the city landfill.

K. **City Responsibility:** Flowers properly displayed add to the beauty and character of the cemetery.

Nephi City Corporation and the cemetery staff will not be responsible for flowers or other personal property left in the cemetery. Be aware that on occasion uncaring individuals have removed expensive flower arrangements without patron or staff consent.

Headstone Policy

A. **Ownership and Responsibilities:** Headstones are personal property. All headstones with the cemetery are the property of lot owners, their heirs, or the responsible party who ordered placed them. All care and upkeep of the headstones are the responsibility of the owner. The cemetery is maintained by city crews who exercise great care in keeping the grounds groomed. The city will not be responsible for inadvertent scratches and chips that occur from routine maintenance. Such happenings are condition that go with the privilege of placing markers in the cemetery.

It shall be unlawful for any person to place or have placed any headstone upon any lot or lots in said cemetery except under the direction and supervision of the cemetery superintendent.

- B. **Specifications for Headstones:** It shall be unlawful for any person to place or to have placed any monument on any lot in said cemetery not made of metal inlay, stone, or cement. Such monument shall be securely set in a cement foundation of at least four inches deep with a cement mow strip not less than seven inches around said marker.

The following are headstone size recommendations. Maximum lengths are: singles 40", doubles 80", and triples 120". Maximum height is 36". Maximum width is 30". Any marker size that exceeds these recommendations requires the prior written approval of the cemetery superintendent.

Only one headstone and no other monument or marker will be permitted on the grave. Said headstone shall be at the head of the grave. Headstones will be placed in an orderly manner in pre-designated rows and as directed by the cemetery superintendent.

Placement of permanent markers is encouraged to take place within one year after interment.

- C. **Vases:** All permanent vases must be attached to the stone base or cast into the cement base with at least two (2) inches from the edge of the cement base.
- D. **Obstructions:** No iron ornaments, brackets, foot markers, flag poles or other obstructions or installations except a headstone or monument will be permitted in the cemetery.
- E. **Modifications:** If a monument is determined, by the sexton, to be oversized and interfering with the sprinkler irrigation system, the owner will pay for the necessary modifications (applicable to stones placed after January 1, 1992).
- F. **Interference with Excavation:** The owner or responsible party is responsible for the removal and replacement of a marker that must be moved for the excavation of a grave, or for the expenses of such services if contracted. If the owner or responsible party wishes, the city will make arrangements for the service with a local monument dealer at the owner's expense.
- G. **Recommendations:** Consult with a monument manufacturer on monument materials suitable to handle conditions at the cemetery. Markers are subject to temperature extremes, snow, ice, sprinkler irrigation water, and occasional nicks and chips from mowing equipment. It is recommended that raised markers have a rough-nosed base or edge rather than a polished, smooth surface. Persons ordering headstones from a monument dealer should check, or caused to be checked, the restrictions first, to insure that the stone will meet cemetery specifications.

- H. **Cemetery Supervision:** All work in the cemetery including but not limited to interments, disinterment, planting, landscaping, grading, record keeping, placement of grave markers, grounds keeping, construction, and all maintenance, improvements, and beautifying of the grounds shall be approved by and one under the supervision of the supervision of the cemetery superintendent.

Lot Ownership and Privileges

- A. **Nature and Extent of Burial Rights:** Only permissive burial rights are sold. The city retains title to the cemetery property. A maximum of the four (4) grave can be purchased by any one individual or concern. A certificate of burial rights will be issued to each purchaser after fees are paid in full.
- B. **Rights Conveyed:** Burial rights are conveyed to the person or persons named therein and their heirs are presumed to have legal claim to the rights of burial, unless specified differently in a legal will or by probate court. Burials by or of heirs, after the original party's name on burial certificates are deceased; require the permission of all known living heirs.

The cemetery master file is considered to be the correct record. Any discrepancy between the master file and the certificate of burial rights will be considered a clerical error. The city reserves the right to recall, correct, and re-issue the correct certificate.

- C. **Restrictions on Resale:** From and after November 1, 1979, the lots sold by this municipality shall not be further sold, transferred, conveyed or assigned to any person except the municipality. The municipality hereby agrees to buy back any municipal cemetery grave lot, which it may hereafter sell. The repurchase of such lots shall be for the original price paid by the purchaser, or the current selling price of the lot, whichever is less.
- D. **Unused Lots:** Lots that have been unused for, or have no written notice of claim or interest on, for over 60 years can be reclaimed by Nephi City Corporation. Every effort, practically and legally, will be made to find the owner or legal heirs before the lots, by lawful means, will be reverted.

Should a certificate of title or right to lot that has been reverted to the city be presented, the legal holder is entitled to be compensated at the buy-back price established by resolution of the city council. All proceeds from the resale of reverted property shall be placed in the perpetual care fund.

- E. **Purchase of Unused Lots by the City:** The city may buy back the unused lots of those desiring the action when directed by the owner, or all living heirs, to do so at a buy-back price established by resolution of the city council. The deed burial rights must be turned in, or other documented proof of ownership must be given to the recorder before the purchase can be authorized.

Perpetual Care

- A. **Perpetual Care:** The care and upkeep of the cemetery provided by the city includes but is not limited to mowing grass at reasonable intervals, re-sodding and reseeding, filling in sunken graves, sprinkler irrigation, trimming trees and shrubs when necessary, removing wilted flowers and decorations, edging around headstones, and other clean-up as needed. Perpetual care does not include repairing or replacing markers, monuments, or other personal property. No lot will be sold without perpetual care.
- B. **Perpetual Care Fees:** This fee is collected and kept in a special fund which may be used for the general care, maintenance, and improvement of the cemetery. Perpetual care fees are included in the charges for certificates of burial rights. They are considered paid in full at the time of interment.

Voluntary contributions to the perpetual care fund will be graciously accepted.

Miscellaneous

- A. **Office – Records:** The official cemetery records are kept at the city recorder's office. The office is open weekdays from 8:00 a.m. until 5:00 p.m., with the exceptions of holidays. All business pertaining to the cemetery is to be transacted at this office.
The location of all graves is shown by maps and by a system of recorded measurements from fixed permanent landmarks. All maps and records are on file at the city recorder's office.
All owners of lots or spaces are requested to notify the city recorder's office of any change of address.
- B. **Powers of Superintendent:** The cemetery superintendent or sexton, subject to the direction of the city council, is responsible for enforcing the policies and procedures of the cemetery. The cemetery superintendent may take such action necessary to protect property, graves, space owners, and the cemetery from injury; to preserve the peace and good order; and to prevent injury to the appearance of the lots, graves, grounds, and buildings.
- C. **Cemetery Fees:** Fees for services are set by resolution of the city council and are changed from time to time as needed and without notice. A copy of current fees charge is available at the city recorder's office.

Additional charges will be made for interments on Saturdays and holidays.

- D. **Contractors and Outside Workers:** Contractors and other having work in the cemetery must make their business known to the superintendent or sexton before the work is started.
- E. **Boundaries, Roads, and Waterlines:** The right to enlarge, reduce, re-plat, or change the boundaries of the cemetery or of a section or sections from time to time, including the right to modify or change the locations of roads and drives, is hereby expressly reserved by Nephi City Corporation. The right to maintain and operate pipelines or gutters for water supply or drainage is also expressly reserved.
- F. **Location of Documents:** All maps, plats, records, and other documents pertaining to the Nephi City Cemetery and the Nephi Vine Bluff Cemetery are on file at the city recorder's office.
- G. **Liability of Cemetery:** Nephi City personnel will always exercise diligence and reasonable care in the protection of the rights and property of the lot owners, but shall not be liable for any damage or loss.
- H. **Alteration and Repeal of Policies and Procedures:** Nephi City Corporation reserves the right to make, amend, and repeal the policies and procedures of the cemetery and to make exceptions thereto; but such exceptions shall not amend or repeal any policies or procedures.
- I. **Walkers and Joggers:** The Nephi City Cemetery and Vine Bluff Cemetery are public parks and will continue to be so. Walkers and joggers are therefore encouraged and welcome to enjoy the beauty and serenity of the cemeteries.